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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/870,867	05/30/2001	Richard J. Qian	10559/476001/P11155	8975

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EXAMINER

RONES, CHARLES

ART UNIT	PAPER NUMBER
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2175

DATE MAILED: 03/19/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/870,867

Applicant(s)

QIAN, RICHARD J.

Examiner

Charles L. Rones

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Sezan et al. U.S. Patent No. 6,236,395 ('**Sezan**')

The applied reference has a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Sezan discloses:

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As to claims 1, 11, and 21,

searching the media sources for content and metadata based on a search criteria; See 7:15-67; 8:1-30; 9:8-25;

parsing the metadata from the sources; See 9:8-25;

receiving user preference information from a user; See 5:10-31; 10:38-65;

integrating the content and the metadata according to the user preference information and based on the result of the parsing; See 5:10-31; 9:8-25; 10:38-65; 12:1-67; 26:40-67; and

displaying an integrated content concurrently on one or more user displays; See 27:1-48.

As to claims 2, 12, and 22,

providing the integrated content and the metadata to an information presenter; See 5:10-31; 9:8-25; 10:38-65; 12:1-67; 26:40-67; 27:1-48.

As to claims 3, 13, and 23,

providing the integrated content and the metadata resulting from the parsing to a content service provider; See 5:10-31; 9:8-25; 10:38-65; 12:1-67; 26:40-67.

As to claims 4, 14, and 24,

wherein the sources comprise television programs, Internet broadcasts, and worldwide web pages; See 11:6-21.

As to claims 5, 15, and 25,

wherein a data description manager passes the metadata resulting from the parsing and an associated content to an information integrator using an extensible markup language (XML); See 14:41-67.

As to claims 6, 16, and 26,

wherein a data description manager passes the metadata resulting from the parsing and an associated content to an information integrator via an Application Programming Interface (API); See 12:48-55.

As to claims 7, 17, and 27,

wherein the content is associated with one or more metadata descriptions; See 5:10-31; 9:8-25; 10:38-65; 12:1-67; 26:40-67.

As to claims 8, 18, and 28,

wherein a multi-modal analysis engine creates the metadata description; See Figs. 2-3, and 13; 5:10-31; 9:8-25; 10:38-65; 12:1-67; 26:40-67.

As to claims 9, 19, and 29,

wherein the multi-modal analysis engine comprises a video analyzer, an audio analyzer, and a digital analyzer; See Figs. 2-3, and 13; 5:10-31; 9:8-25; 10:38-65; 12:1-67; 26:40-67.

As to claims 10, 20, and 30,

storing the integrated content for access at anytime by the user; See Figs. 2-3, and 13; 5:10-31; 9:8-25; 10:38-65; 12:1-67; 26:40-67.

Claims 1-5, 7-15, 21-25, and 27-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Sull et al. U.S. Patent Publication No. 2002/0069218 ('**Sull**').

Sull discloses:

As to claims 1, 11, and 21,

searching the media sources for content and metadata based on a search criteria; See Abstract; [0162-164]; [0174-0175]; [0325]; [0465]; [0474-0475];

parsing the metadata from the sources; See Abstract; [0162-164]; [0174-0175]; [0325]; [0465]; [0474-0475];

receiving user preference information from a user; See Abstract; [0162-164]; [0174-0175]; [0325]; [0465]; [0474-0475];

integrating the content and the metadata according to the user preference information and based on the result of the parsing; See Abstract; [0162-164]; [0174-0175]; [0325]; [0465]; [0474-0475]; and

displaying an integrated content concurrently on one or more user displays; See Figs. 2-3; Abstract; [0162-164]; [0174-0175]; [0325]; [0465]; [0474-0475].

As to claims 2, 12, and 22,

providing the integrated content and the metadata to an information presenter; See Figs. 2-3; Abstract; [0162-164]; [0174-0175]; [0325]; [0465]; [0474-0475].

As to claims 3, 13, and 23,

providing the integrated content and the metadata resulting from the parsing to a content service provider; See Figs. 2-3; Abstract; [0162-164]; [0174-0175]; [0325]; [0465]; [0474-0475].

As to claims 4, 14, and 24,

wherein the sources comprise television programs, Internet broadcasts, and worldwide web pages; See Figs. 2-3; Abstract; [0162-164]; [0174-0175]; [0325]; [0465]; [0474-0475].

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As to claims 5, 15, and 25,

wherein a data description manager passes the metadata resulting from the parsing and an associated content to an information integrator using an extensible markup language (XML) ; See Figs. 2-3; Abstract; [0162-164]; [0174-0175]; [0325]; [0465]; [0474-0475].

As to claims 7, 17, and 27,

wherein the content is associated with one or more metadata descriptions; See Figs. 2-3; Abstract; [0162-164]; [0174-0175]; [0325]; [0465]; [0474-0475].

As to claims 8, 18, and 28,

wherein a multi-modal analysis engine creates the metadata description; See Figs. 2-3; Abstract; [0162-164]; [0174-0175]; [0325]; [0465]; [0474-0475].

As to claims 9, 19, and 29,

wherein the multi-modal analysis engine comprises a video analyzer, an audio analyzer, and a digital analyzer; See Figs. 2-3; Abstract; [0162-164]; [0174-0175]; [0325]; [0465]; [0474-0475].

As to claims 10, 20, and 30,

storing the integrated content for access at anytime by the user; See Figs. 2-3; Abstract; [0162-164]; [0174-0175]; [0325]; [0465]; [0474-0475].

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles L. Rones whose telephone number is 703-306-3030. The examiner can normally be reached on Monday-Thursday 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 703-305-3830. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3800.

Charles L. Rones

**Charles L. Rones
Primary Examiner
Art Unit 2175**

March 15, 2003